



Docket No. DEP-5286

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Yang Chunlin et al.

Serial No. : 10/815,000 Art Unit:

Filed : March 31, 2004 Examiner:

For : FLOWABLE BONE GRAFTS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 3, 2004
(Date of Deposit)

William K. Wissing
(Name of applicant, assignee, or Registered Representative)

W. Wissing
(Signature)

June 3, 2004
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

- Statement in Accordance with §1.97(e)
(attached); or
- Please charge Deposit Account No. 10-0750/DEP-5286/WKW the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- Statement in Accordance with §1.97(e)
(attached); or

Please charge Deposit Account No. 10-0750/DEP-5286/WKW the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a) (2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the

national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a) (2) (i) .

There are no listed references which are not in the English language.

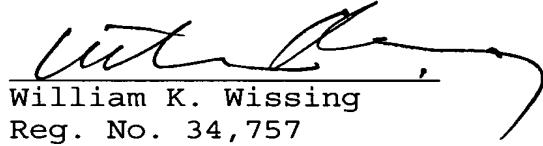
The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP-5286/WKW. This form is submitted in triplicate.

Respectfully submitted,


William K. Wissing
Reg. No. 34,757
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-6201
DATED: June 3, 2004



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 8

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		2,557,871		Harnack et al.	06/19/1951	
		3,639,347		Sugiura et al.	02/01/1972	
		4,107,288		Oppenheim et al.	08/15/1978	
		4,350,629		Yannas et al.	09/21/1982	
		4,448,718		Yannas et al.	05/15/1984	
		4,451,397		Huc et al.	05/29/1984	
		4,642,117		Nguyen et al.	02/10/1987	
		4,713,076		Draenert, K.	12/15/1987	
		4,743,229		Chu, G.	05/10/1988	
		4,744,227		Whitener, Jr. et al.	05/17/1988	
		4,623,553		Ries et al.	11/18/1986	
		4,822,534		Lencki et al.	04/18/1989	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	KindCode ⁵				

Examiner Signature		Date Considered
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 8

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		Number	Kind Code ²			
		4,865,602		Smestad et al.	09/12/1989	
		4,992,226		Piez et al.	02/12/1991	
		5,069,936		Yen, R.	12/03/1991	
		5,196,185		Silver et al.	03/23/1993	
		5,204,382		Wallace et al.	04/20/1993	
		5,246,457		Piez et al.	09/21/1993	
		5,320,844		Liu, S.	06/14/1994	
		5,352,715		Wallace et al.	10/04/1994	
		5,354,557		Oppermann et al.	10/11/1994	
		5,356,614		Sharma, V.	10/18/1994	
		5,425,770		Piez et al.	06/20/1995	
		5,470,911		Rhee et al.	11/28/1995	

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Sheet 3 of 8

Application Number

10/815,000

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First Named Inventor

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Group Art Unit

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		Number	Kind Code ² (if known)			
		5,476,666		Rhee et al.	12/19/1995	
		5,480,644		Freed, J.	01/02/1996	
		5,490,984		Freed, J.	02/13/1996	
		5,531,791		Wolfinbarger, Jr., L.	07/02/1996	
		5,550,187		Rhee et al.	08/27/1996	
		5,624,463		Stone et al.	04/29/1997	
		5,645,591		Kuberasampath et al.	07/08/1997	
		5,658,593		Orly et al.	08/19/1997	
		5,672,336		Sharma, V.	09/30/1997	
		5,677,284		Li, S.	10/14/1997	
		5,691,397		Glimcher et al.	11/25/1997	
		5,739,286		Silver et al.	04/14/1998	

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Sheet 4 of 8

U.S. PATENT DOCUMENTS

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		Number	Kind Code ²			
		5,789,465		Harvey et al.	08/04/1998	
		5,776,193		Kwan et al.	07/07/1998	
		5,824,084		Muschler, G.	10/20/1998	
		6,049,026		Muschler, G.	04/11/2000	
		6,077,988		Kuberasampath et al.	06/20/2000	
		6,120,805		Spenlehauer et al.	09/19/2000	
		6,139,578		Lee et al.	10/31/2000	
		6,165,487		Ashkar et al.	12/26/2000	
		6,201,039	B1	Brown et al.	03/13/2001	
		6,210,715	B1	Starling et al.	04/03/2001	
		6,284,284	B1	Naughton, G.	09/04/2001	
		6,296,667	B1	Johnson et al.	10/02/2001	

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Sheet 5 of 8

Application Number

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First Named Inventor

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Group Art Unit

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		Number	Kind Code ²			
		6,300,315	B1	Liu, S.	10/09/2001	
		6,303,150	B1	Perrier et al.	10/16/2001	
		6,311,690	B1	Jefferies, S.	11/11/2001	X
		6,358,532	B2	Starling et al.	03/19/2002	
		6,395,036	B1	Czernuszka et al.	05/28/2002	
		6,344,182	B1	Sutton et al.	02/11/2002	X
		6,346,515	B1	Pitaru et al.	02/12/2002	
		6,372,257	B1	Marchosky, J.	04/16/2002	
		6,384,196	B1	Weis et al.	05/07/2002	
		6,384,197	B1	Weis et al.	05/07/2002	
		6,417,166	B2	Liu, S.	07/09/2002	
		6,468,308	B1	Kuberasampath et al.	10/22/2002	

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Sheet 6 of 8

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Yang Chunlin et al.

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		Number	Kind Code ²			
		6,482,518	B1	Short et al.	11/19/2002	
		6,485,751	B1	Wang, Y	11/26/2002	
		6,527,810	B2	Johnson et al.	03/04/2003	
		6,576,015	B2	Geistlich et al.	06/10/2003	
		6,589,590	B2	Czernuszka et al.	07/08/2003	
		6,592,794	B1	Bachrach, N.	07/15/2003	
		6,592,844	B2	Coombes et al.	07/15/2003	
		6,598,274	B1	Abatangelo et al.	07/22/2003	
		6,682,760	B2	Noff et al.	01/27/2004	
		6,699,471	B2	Radice et al.	03/02/2004	
		6,709,650	B1	Sutton et al.	03/23/2004	
		2001/0014830	A1	Kwan et al.	08/16/2001	
		2001/0021389	A1	Starling et al.	09/13/2001	

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Sheet 7 of 8

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		Number	Kind Code ²			
		2001/0043940	A1	Boyce et al.	11/22/2001	
		2001/0051834	A1	Frondoza et al.	12/13/2001	
		2002/0011449	A1	Muller et al.	01/31/2002	
		2002/0013626	A1	Geistlich et al.	01/31/2002	
		2002/0013627	A1	Geistlich et al.	01/31/2002	
		2002/0018798	A1	Sewing et al.	02/14/2002	
		2002/0076429	A1	Wironen et al.	06/20/2002	
		2002/0082220	A1	Hoemann et al.	06/27/2002	
		2002/0111695	A1	Kandel, R.	08/15/2002	
		2002/0128722	A1	Jefferies, S.	09/12/2002	
		2002/0151985	A1	KuberaSampath et al.	10/17/2002	
		2002/0183855	A1	Yamamoto et al.	12/05/2002	

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		Number	Kind Code ² (if known)			
		2002/0193883	A1	Wironen, J.	12/19/2002	
		2002/0197242	A1	Gertzman et al.	12/26/2002	
		2003/0031695	A1	Kadiyala et al.	02/13/2003	
		2003/0114061	A1	Matsuda et al.	06/19/2003	
		2003/0180376	A1	Dalal et al.	09/25/2003	
		2003/0180369	A1	Grisoni, P.	09/25/2003	
		2003/0211083	A1	Vogel et al.	11/13/2003	
		2003/0211166	A1	Yamamoto et al.	11/13/2003	
		2003/0232071	A1	Gower et al.	12/18/2003	
		2004/0034434	A1	Evans et al.	02/19/2004	

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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